

Remarks

Applicant respectfully requests reconsideration and allowance of the subject application. Claims 1-22, 24-36, 38-46, 50, and 52-57 are pending in this application.

Claims 9-12, 16, 18, 19, and 21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,363,210 to Owashi et al. (hereinafter "Owashi") in view of U.S. Patent No. 5,799,081 to Kim et al. (hereinafter "Kim").

Claims 1, 2, 5-8, 13, 14, 26-32, 34-45, 50, 52, 53, and 55-57 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Owashi in view of Kim and further in view of U.S. Patent No. 5,666,412 to Handelman et al. (hereinafter "Handelman") in view of U.S. Patent No. 6,378,130 to Adams (hereinafter "Adams").

Claims 20, 25, 33, and 46 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Owashi in view of Kim and Handelman and further in view of U.S. Patent No. 5,805,204 to Thompson et al. (hereinafter "Thompson").

Claims 3, 4, 15, 17, 22, and 24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Owashi in view of Kim and Handelman and further in view of U.S. Patent No. 5,744,787 to Teicher (hereinafter "Teicher").

Claim 54 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Owashi in view of Kim, Handelman, and Adams, and further in view of U.S. Patent No. 5,841,119 to Rouyrre et al. (hereinafter "Rouyrre").

The rejections and discussions of claims 1-22, 24-36, 38-46, 50, and 52-57 in the August 19, 2003 Office Action are identical to the rejections and discussions of claims 1-22, 24-36, 38-46, 50, and 52-57 in the previous Office Action (the

April 11, 2003 Office Action (originally made final, but the finality was subsequently withdrawn)). Although the August 19, 2003 Office Action does include a "Response to Arguments" section, that section contains no response to any of the arguments presented by Applicant in response to the April 11 Office Action's 35 U.S.C. §103(a) rejections of claims 1-22, 24-36, 38-46, 50, and 52-57.

Applicant reminds the Office of MPEP §707.07(f), which recites (emphasis added):

>In order to provide a complete application file history and to enhance the clarity of the prosecution history record, an examiner must provide clear explanations of all actions taken by the examiner during prosecution of an application.<

Where the requirements are traversed, or suspension thereof requested, the examiner should make proper reference thereto in his or her action on the amendment.

Where the applicant traverses any rejection, the examiner should, if he or she repeats the rejection, take note of the applicant's argument and answer the substance of it.

>If applicant's arguments are persuasive and upon reconsideration of the rejection, the examiner determines that the previous rejection should be withdrawn, the examiner must provide in the next Office communication the reasons why the previous rejection is withdrawn by referring specifically to the page(s) and line(s) of applicant's remarks which form the basis for withdrawing the rejection. It is not acceptable for the examiner to merely indicate that all of applicant's remarks form the basis for withdrawing the previous rejection. Form paragraph 7.38.01 may be used. If the withdrawal of the previous rejection results in the allowance of the claims, the reasons, which form the basis for the withdrawal of the previous rejection, may be included in a reasons for allowance. See MPEP § 1302.14. If applicant's arguments are persuasive and the examiner determines that the previous rejection should be withdrawn but that, upon further consideration, a new ground of rejection should be made, form paragraph 7.38.02 may be used. See MPEP § 706.07(a) to determine whether the Office action may be made final.<

If a rejection of record is to be applied to a new or amended claim, specific identification of that ground of rejection, as by

citation of the paragraph in the former Office letter in which the rejection was originally stated, should be given.

Applicant respectfully submits that, contrary to MPEP §707.07(f), no note of Applicant's arguments regarding the 35 U.S.C. §103(a) rejections of claims 1-22, 24-36, 38-46, 50, and 52-57 was made in the August 19, 2003 Office Action, nor was the substance of Applicant's arguments regarding the 35 U.S.C. §103(a) rejections of claims 1-22, 24-36, 38-46, 50, and 52-57 answered.

Applicant respectfully submits that claims 1-22, 24-36, 38-46, 50, and 52-57 are allowable over the cited references for at least the reasons discussed in Applicant's Response filed July 11, 2003 in response to the April 11, 2003 Office Action. All of Applicant's arguments in the July 11, 2003 response regarding the 35 U.S.C. §103(a) rejections of claims 1-22, 24-36, 38-46, 50, and 52-57 are incorporated herein by reference.

Accordingly, Applicant respectfully requests that the §103 rejections be withdrawn.

Conclusion

Claims 1-22, 24-36, 38-46, 50, and 52-57 are in condition for allowance. Applicant respectfully requests reconsideration and issuance of the subject application. Should any matter in this case remain unresolved, the undersigned attorney respectfully requests a telephone conference with the Examiner to resolve any such outstanding matter.

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Respectfully Submitted,

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